IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

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ALLEN RAY DINGESS,) Civil Action No. 7:12cv00630	
Plaintiff,)	
v.) <u>DISMISSAL ORDER</u>	
VIRGINIA DEPARTMENT of)	
CORRECTIONS,)	
) By: Samuel G. Wilson	
Defendant.) United States District Judge	

In accordance with the memorandum opinion entered on this day, it is **ORDERED** and **ADJUDGED** that plaintiff's complaint is **DISMISSED** without prejudice pursuant to 28 U.S.C. § §1915(e)(2)(B) and 1915A(b)(1) and (2).

ENTER: December 31, 2012.

s/ SAMUEL G. WILSON
UNITED STATES DISTRICT JUDGE